

Notice of Allowability

Application No.

09/688,021

Examiner

Matthew A. Anderson

Applicant(s)

ANNAPRAGADA ET AL.

Art Unit

1765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment of 5/26/2004.
2. ☒ The allowed claim(s) is/are 1,4-7,10-14,20 and 21.
3. ☒ The drawings filed on 13 October 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 8/10/2004.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

NADINE G. NORTON
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Lee on 8/10/2004.

Cancel claims 15-18.

Response to Arguments

2. Applicant's arguments, see page 6, 3rd paragraph, filed 5/26/2004, with respect to the 35 USC 112 rejection of claims 1,4-7, 10-14 and 20-21 have been fully considered and are persuasive. The rejection of claims 1, 4-7, 10-14 and 20-21 under 35 USC 112 has been withdrawn. The examiner notes the cited support in the specification.

3. Applicant's arguments, see page 6+, starting last paragraph, filed 5/26/2004, with respect to 35 USC 103(a) rejection of claims 1, 4-7, 10-13 have

been fully considered and are persuasive. The rejection of claims 1,4-7, 10-13 under 35 USC 103(a) has been withdrawn. See reasons for allowance below.

4. Applicant's arguments, see top of page 8, filed 5/26/2004, with respect to 35 USC 103(a) rejection of claims 14, 20-21 have been fully considered and are persuasive. The rejection of claims 14, 20-21 under 35 USC 103(a) has been withdrawn. See reasons for allowance below.

Allowable Subject Matter

5. Claims 1,4-7, 10-14, 20-21 are allowed.

6. The following is an examiner's statement of reasons for allowance:

The use of a flow of etchant gas mixture including C_4F_8 , CH_2F_2 , oxygen, and CF_4 into a reaction chamber to selectively plasma etch at least one layer of organosilicate glass with respect to an etch stop layer where the organosilicate glass is over the etch stop layer has not been suggested in the prior art. The examiner notes that the previously cited Hung et al. reference does not suggest the above gas constituents were an organo-silicate is etched. Hung et al. suggests adding CH_2F_2 and O_2 to an etchant gas for BPSG (see col. 17 lines 25-25 in reference to Table 10) and not for OSG (organo-silicate glass) etching processes.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should

Art Unit: 1765

preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew A. Anderson whose telephone number is (571) 272-1459. The examiner can normally be reached on M-Th, 7-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on (571) 272-1465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/688,021

Page 5

Art Unit: 1765

MAA

August 10, 2004

NADINE G. NORTON
SUPERVISORY PATENT EXAMINER

A handwritten signature in black ink, appearing to read 'N. Norton', is written below the printed name and title.